



## UNITED STATES PATENT AND TRADEMARK OFFICE

O P E

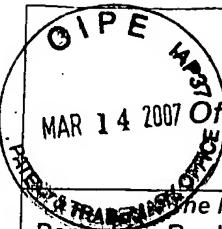
MAR 14 2007

22 April 2007  
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,635	04/02/2004	Robert Greer	0644-08	1050
7590 Walter L. Beavers 326 South Eugene Street Greensboro, NC 27401	01/22/2007	<b>RECEIVED</b> JAN 24 2007 BY:	EXAMINER DICUS, TAMRA	ART UNIT 1774 PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE		
3 MONTHS	01/22/2007	PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.



## MAR 14 2007 Office Action Summary

The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

Application No.	10/816,635	Applicant(s)	GREER ET AL.
Examiner	Tamra L. Dicus	Art Unit	1774

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) Responsive to communication(s) filed on 11 October 2006.  
2a) This action is FINAL.                    2b) This action is non-final.  
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) Claim(s) 1-25 is/are pending in the application.  
4a) Of the above claim(s) 18-25 is/are withdrawn from consideration.  
5) Claim(s) \_\_\_\_\_ is/are allowed.  
6) Claim(s) \_\_\_\_\_ is/are rejected.  
7) Claim(s) 1-17 is/are objected to.  
8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) The specification is objected to by the Examiner.  
10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All    b) Some \* c) None of:  
    1. Certified copies of the priority documents have been received.  
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) Notice of References Cited (PTO-892)  
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) Information Disclosure Statement(s) (PTO/SB/08)  
    Paper No(s)/Mail Date 09-29-06, 01-23-06, 4-02-04.
- 4) Interview Summary (PTO-413)  
    Paper No(s)/Mail Date. \_\_\_\_\_.  
5) Notice of Informal Patent Application  
6) Other: \_\_\_\_\_.

***DETAILED ACTION***

The election of group I, claims 1-17, without traverse is acknowledged.

***IDS***

The information disclosure statement filed 09-26-06 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because the number and name do not correspond. It appears to be an erroneous number, thus the relevance is not clear. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).

***Claim Objections***

Claim 1 is objected to because of the following informalities: Instant claim 1 recites in line 3, "said first section contiguous said second section...". It appears the grammar is not correct.. Appropriate correction is required.

*Claim Rejections - 35 USC § 112*

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 13, 11, and 14-15, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 13 recites the top and bottom are coplanar with said first thermoplastic section, but does not recite which surface the second is coplanar with and to (the top surfaces of the second section are both top and bottom as is the first surface and the claim does not state which surfaces of the second are in conjunction with the first surfaces). Thus, the overall structure is not clear.

Claim 14 recites "approximately the same", which is an ambiguous because the limitation provides no direction to the degree. The term "approximately the same" is indefinite as the specification does not provide a definition to the metes and bounds of the phrase. In order to determine infringement of the present claims, one necessarily would need to determine with a reasonable degree of certainty the scope of the phrase "approximately the same." Applicant has failed to provide any such guidance and, accordingly, this phrase renders the scope of the claims unclear.

Claims 11 and 15 recite "string-like shape", which is indefinite. The phrase "string-like" renders the claim(s) indefinite because the claims include elements not actually disclosed (those encompassed by "type"), thereby rendering the scope of the claims unascertainable. See *Ex parte Copenhaver*, 109 USPQ 118 (Bd. App. 1955).

*Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Harper.

Harper teaches all the limitations of instant claims 1-4 to a pavement marking illustrated in FIGS 2-3 and associated text. Specifically, 18 (first section, polyurethane), 16 (second section, paraffin resin, polyester), with adhesive between (7:55-68, 8:15-68). The adhesive is a PSA type or contact adhesive, because the material is the same it is capable of being sprayable. Instant claims 1-4 and 7 are met.

*Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 1774

Claims 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harper in view Buccellato et al.

Harper essentially teaches the claimed invention.

Harper is silent to a type of adhesive used or sprayable feature, while stating PSA types can be employed (instant claims 5-7).

Buccellato teaches an adhesive composition of PSA polymers such as acrylic in a dot or stripe pattern and sprayable types see 3:54-4:68, 8:1-36 (inclusive of thermosetting and thermoplastic and sprayable (dot pattern)).

It would have been obvious to one having ordinary skill in the art to have modified the Harper pavement marking to use the adhesive of Buccellato in a dot or stripe pattern because the advantages are high shear force when tires hit pavement and high tack applied to any form/shape of pavement article (2: 45-60, 3:1-25, 3:54-4:68, 8:1-36, Examples).

Claims 8-15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harper in view Buccellato et al.

Harper teaches all the limitations of instant claim 8 and 13 to a pavement marking illustrated in FIGS 2-3 and associated text except for a spray(ed) adhesive. Specifically, 18 (first section, polyurethane, polyamide), 16 (second section, paraffin resin, polyolefin, or polyester), with adhesive between (5:1-20, 7:55-68, 8:15-68). The adhesive is a PSA type or contact adhesive. Harper shows the plurality of second sections as recited per instant claim 12 in FIG. 3.

Harper is silent to a type of adhesive used or sprayed feature, string shape while stating PSA types can be employed (instant claims 8-11, 13-15).

Buccellato teaches an adhesive composition of PSA polymers such as acrylic and acrylamide (polyamide), and ethylene glycol (polyolefin) in a dot or stripe pattern and sprayable types see 3:54-4:68, 5:1-35, 8:1-36 (inclusive of thermosetting and thermoplastic and sprayed (dot pattern)) on or under pavement markings. Method steps (sprayed) included in a product claim are product by process limitations and are given little patentable weight. The same structure and materials are provided, thus the Applicant's product and the prior art product is the same. See MPEP 2113.

It would have been obvious to one having ordinary skill in the art to have modified the Harper pavement marking to use the adhesive of Buccellato in a dot or stripe pattern and shape as claimed because the advantages are high shear force when tires hit pavement and high tack applied to any form/shape of pavement article to adhere to a road (2: 45-60, 3:1-25, 3:54-4:68; 5:1-35, 8:1-10, 16:1-68, Examples).

Further to instant claim 14, polyamide and polyolefin polyethylene are thermoplastics included in the adhesive, both polymers of first and second sections, respectively, the softening points are inherent and are considered approximately the same.

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Harper in view Buccellato et al. and further in view of Wiley.

The combination is relied upon above.

The combination is silent to grid patterns as per instant claim 16.

Buccellato suggests the pavement marking has good adhesion to in particular, substrates such as asphalt and cement concrete (2:45-50).

Wiley teaches inlaid patterns in asphalt or thermoplastic surfaces using thermoplastic grids (two) to impress corporate logos or decorative designs in pavements (3:10-68, see also 3:54-68).

It would have been obvious to one having ordinary skill in the art to have modified the combination to further include grid(s) as claimed because Wiley teaches they imprint a desired pattern such as grid lines or decorative designs in pavements.

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tamra L. Dicus whose telephone number is 571-272-1519. The examiner can normally be reached on Monday-Friday, 7:00-4:30 p.m., alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rena Dye can be reached on 571-272-3186. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Tamra L. Dicus  
Examiner  
Art Unit 1774

January 4, 2007

  
TAMRA L. DICUS  
EXAMINER, PATENT EXAMINER  
ART UNIT 1774

Art Unit 1774

FROM :Walter Beavers

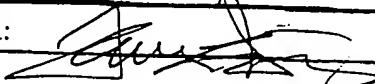
FAX NO. :3362752009

Sep. 29 2006 11:29AM P3

RECEIVED  
CENTRAL FAX CENTER

SEP 29 2006

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

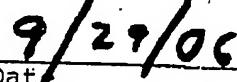
FORM PTO 892 (rev date 7-94)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		SERIAL NO. 10/816,635	GROUP ART UNIT: 1775	Examiner Name:	File/Docket No. 00644-08
NOTICE OF REFERENCES CITED: 1		APPLICANT(S): Robert Greer and Robert Manteik				
U.S. PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	NAME		CLASB	SUBCLASS
1	6,988,010	02/14/2006	Wiley		156	309.6
2						
EXAMINER: 			DATE: 14/07			

REMARKS:

Applicant believes his device is patentably distinct over the cited reference.

Respectfully submitted,

  
Walter L. Beavers  
Attorney For Applicant  
Registration No. 26,704  
326 South Eugene Street  
Greensboro, North Carolina 27401  
Telephone: (336) 275-7601  
Facsimile: (336) 275-2009  
E-mail: wbeavers@bellsouth.net

  
Date



## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

FORM PTO 892 (rev date 7-94)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		SERIAL NO. 10/816,635	GROUP ART UNIT: 1775	Examiner Name:	File/Docket No. 00644-08
NOTICE OF REFERENCES CITED: 24		APPLICANT(S): Robert Greer					
U.S. PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	NAME		CLASS	SUBCLASS
1		5,271,690	12/21/1993	Fennessy, Sr.			
2		5,385,770	01/31/1995	Julnes			
3		5,775,835	07/07/1998	Szekely			
4		6,449,790	09/17/2002	Szekely			
5		6,576,074	06/10/2003	Cabrera et al			
6		6,769,837	08/03/2004	Ross			
7		6,890,124	05/10/2005	Provenzano, III			
8		6,895,622	05/24/2005	Szekely			
9		6,939,078	09/06/2005	Anderson et al			
10		6,951,435	10/04/2005	Fennessy, Sr.			
11		U.S. 2003/0012599	01/16/2003	Wallgreen et al			
12		U.S. 2004/0042850	03/04/2004	Provenzano, III			
13		U.S. 2004/0067336	04/08/2004	Munroe, II			
14		U.S. 2005/0031415	02/10/2005	Sippola			
15		U.S. 2005/0066623	03/31/2005	Sippola			
16		U.S. 2005/0144743	07/07/2005	Szekely			
17		Ser. No. 10/497,354	11/30/2004	Patrick Carl Wiley			

1/19/07

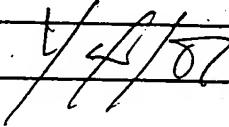
## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS
	18	WO 99/25928 (Pub. No.)	05/27/1999	Minnesota Mining & Manufacturing Co.		

### OTHER REFERENCES (including Author, Title, Date, Pertinent Pages, Etc.)

19	Shin-Etsu LIMS Product Selection Guide, three (3) pages; dated 2005
20	Shin-Etsu Silicone LIMS Liquid Injection Molding System; five (5) pages; dated 2001
21	Shin-Etsu LIMS Molding System For The New Age; eleven (11) pages; dated 2000
22	Shin-Etsu MSDS No: EU-06-07203067; Material Safety Data Sheet; six (6) pages; dated 01/08/2004
23	Shin-Etsu MSDS No: EU-06-07203066; Material Safety Data Sheet; six (6) pages; dated 01/08/2004
24	Shin-Etsu Data Sheet 70 Durometer Fast Cure LIMS; one (1) page undated
	*****
	Reference 24 is undated but was commercially available prior to applicant's conception of the present invention

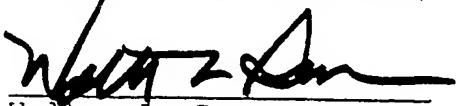
EXAMINER: 

DATE: 

### REMARKS:

Applicants believe their device is patentably distinct over the cited references.

Respectfully submitted,

  
Walter L. Beavers  
 Attorney For Applicant  
 Registration No. 26,704  
 326 South Eugene Street  
 Greensboro, North Carolina 27401  
 Telephone: (336) 275-7601

1-19-06  
 Date

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

Complete if Known

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

3

of

3

Attorney Docket Number

00644-08

Application Number

Filing Date

First Named Inventor

Art Unit

Examiner Name

Robert Greer

T<sup>2</sup>**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	23	Copy of Logos which can be used for pavement markings; Flint Trading, Inc.; 2002; one page	
	24	Copy of Horizontal Signage; for Preformed Thermoplastic Pavement Marking Material; Flint Trading, Inc.; 3 pages	
		.....	
	**	13, 15, 16, 18, 20 and 24 are undated but were commercially available prior to applicant's conception of the present invention	

Examiner  
SignatureDate  
Considered

1/4/07

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

Complete if Known

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

2

of

3

Attorney Docket Number

00644-08

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	13	Brochure from Integrated Paving Concepts, Inc. for decorative thermoplastic pavement markings (undated)	
	14	Brochure from 3M for Stamark Wet Reflective Pavement Marking Tape Series 820; 2001	
	15	Brochure from Jarvis for Stonegrip surface treatment and Tyregrip surface treatment (undated)	
	16	Brochure from Jarvis for Imprint paving material (undated)	
	17	Brochure from Jarvis for Imprint; a synthetic surface; July 2003	
	18	Printout from Arizona Chemical webpage for Roadmarking (undated)	
	19	Copy of Loctite Equipment operation manual for Hysol 175-Spray; 5 pages; 2001	
	20	Copy of Specification Preformed Thermoplastic Pavement Markings; 3 pages (undated)	
	21	Brochure from Flint 2000EX for propane gas fired industrial heat torch with cold burning nozzle; 2002	
	22	Copy of Logos which can be used for pavement markings; Flint Trading, Inc.; 2002; one page	

Examiner Signature

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet

1

of

3

*Complete if Known*

Application Number	
Filing Date	
First Named Inventor	Robert Greer
Art Unit	
Examiner Name	

Attorney Docket Number 00644-08

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> ( <i>if known</i> )			
X	1	US- 5,215,402	06/01/1993	Stowell et al	
X	2	US- 5,653,552	08/05/1997	Wiley et al	
X	3	US- 5,861,206	01/19/1999	Jensen	
X	4	US- 5,895,171	04/20/1999	Wiley et al	
X	5	US- 6,024,511	02/15/2000	Ross	
X	6	US- 6,217,254	04/17/2001	Wallgren et al	
X	7	US- 6,371,689	01/16/2002	Wiley	
X	8	US- 6,382,871	05/07/2002	Ross	
X	9	US- 6,588,975	07/08/2003	Ross	
X	10	US- Ser. No. 09/896,795	06/29/2001	Magnus Wallgren	
X	11	US- Ser. No. 10/000,448	12/04/2001	Patrick Carl Wiley	
X	12	US- Ser. No. 10/002,105	12/05/2001	Guy Ross	
		US-			

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> ( <i>if known</i> )				
X	F1	WO 03/064771 A1	08-07-2003	Avery Dennison Corp.		
X	F2	CA 2 329 151 A1	06/19/2002	Guy Ross		

Examiner Signature

Date Considered

1/27/07

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>5</sup>Kind of document by Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

**Notice of References Cited**

 Application/Control No.  
 10/816,635

 Applicant(s)/Patent Under  
 Reexamination  
 GREER ET AL.

 Examiner  
 Tamra L. Dicus

 Art Unit  
 1774

Page 1 of 1

**U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-7,066,680	06-2006	Wiley, Patrick Carl	404/75
*	B	US-5,759,928	06-1998	Harper, James H. C.	442/337
*	C	US-6,861,141	03-2005	Buccellato et al.	428/355EN
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

**FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N	WO93/07339	04-1993	WO	Clarke et al.	
	O					
	P					
	Q					
	R					
	S					
	T					

**NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
 Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

177A

MAR 14 2007

PTO/SB/21 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

PATENT & TRADEMARK OFFICE  
U.S. DEPARTMENT OF COMMERCE

## TRANSMITTAL FORM

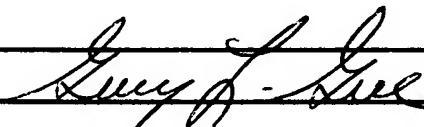
(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/816,635
Filing Date	04/02/2004
First Named Inventor	Greer, Robert
Art Unit	1775
Examiner Name	Tamara L. Dicus
Attorney Docket Number	

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input checked="" type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name			
Signature			
Printed name	Guerry L. Grune		
Date	3/02/2007	Reg. No.	46,745

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.